

ABSTRACT (RIGHT TO RESPECT FOR PRIVATE AND FAMILY LIFE)

The main goal of this diploma thesis, called **Right to respect for private and family life**, is to analyze the progress in the issue of the right to respect for private and family life from the perspective of registered partnership. I had to narrow the topic of this diploma thesis to registered partnership, because of the fact, that the scope of the right to respect for private and family life is so broad, that it couldn't be summarized in the mere diploma thesis. Emphasis of this diploma thesis is placed on regulation set out in the European Convention for the Protection of Human Rights and Fundamental Freedoms (the Convention), other regulation is mentioned only marginally.

The diploma thesis is divided into four chapters, further it contains the introduction, the conclusion, the list of abbreviation, the list of literature and the Czech and English abstract. The most important part of this diploma thesis is chapter three, which deals with the right to respect for private and family life from the perspective of registered partnership set out in the article 8 of the Convention.

Chapter 1 defines the right to respect for private and family life as one of the fundamental human rights and characterizes the international legal protection and legal regulation of human rights.

Chapter 2 determines the basic features of the Convention – the Convention as the so called “living instrument”, the principle of proportionality and the margin of appreciation. It specifies the role of the European Court of Human Rights (the ECHR) for the application of the Convention. Further the chapter 2 deals with the article 8 of the Convention as such, it provides the definition of the main aspects of the right to respect for private and family life, particularly the notion of “private life” and “family life”, and it determines the conditions under which the right guaranteed by the article 8 of the Convention can be limited – in accordance with the law, necessary in a democratic society, legitimate aim.

Chapter three is the most important part of this diploma thesis. It deals with the right to respect for private and family life from the perspective of registered partnership. This issue is explained with the help of judicature of the ECHR and its development. This chapter is divided into several thematic areas. The goal of this chapter is to answer the question, whether the cohabitation of homosexuals can establish the right to respect for family life.

Chapter four briefly outlines the other regulation of the issue, besides the Convention.